

REMARKS

Claims 11, 32, 35 and 37 are Allowable

The Office has rejected claims 11, 32, 35 and 37, at page 2 of the Office Action, under 35 U.S.C. §112, as purportedly failing to comply with the enablement requirement. In particular, the Office Action asserts that claims 11, 32, 35 and 37 mention that none of the image sensors includes a computer readable memory, however Figs. 1 and 2 show memory on the integrated circuit. Fig. 1 depicts modules 12 and 14 including sensors 26 and 28 and lens 30 and 32. Fig. 1 further illustrates a processing electronics module 24 as including processor 18 and memory 22. Module 24 is connected to modules 12 and 14 via selector 34. Applicants respectfully submit that neither sensor 26 nor sensor 28 are shown to include memory 22 in Fig. 1. Similarly, memory 60 is not depicted as part of any of the modules 42, 44, 46, 48 and 50 in Fig. 2. The modules 42, 44, 46, 48 and 50 in Fig. 2 are shown as connected to processing electronics 40 including memory 60 via selector 52. *See* Fig. 2 and paragraph 1024 of Applicants' specification. Claims 11, 32, 35 and 37 comply with the enablement requirement. Accordingly, claims 11, 32, 35 and 37 are allowable.

Claims 11-12, 14, 23, 25, 27, 34 and 37-38 are Allowable

The Office has rejected claim 11, at pages 3-4 of the Office Action dated 4-29-08 (Office Action), under 35 U.S.C. §102 (b), as anticipated by U.S. Patent No. 5,920,337 ("Glassman"). Applicants respectfully traverse the rejection.

The cited portions of Glassman do not disclose or suggest the specific combination of claim 11. The cited portions of Glassman do not disclose a first image module communicatively coupled to a processing engine, the first image module operable to capture first image information, where the first image module does not include a computer readable memory, as in claim 11. The Office Action equates processing engine of claim 11 with Glassman's random logic 75. *See* Office Action, p. 3. The term 'random logic' appears only once in Glassman. Glassman describes random logic as, "Charge transfer devices 73 and A/D converters and random logic 75 sample the output of the photosensor, perform initial processing and hold the data for transfer to the next stage of the system." *See*, Glassman col. 10, lines 42-45. Applicants submit that the aforementioned single reference to the term random logic in Glassman teaches

random logic 75 configured to sample the output of the photosensor, to perform initial processing and to hold the data for transfer to the next stage of the system. The cited portion of the Glassman reference fails to teach a processing engine communicatively coupled with the first image module, as in claim 11. In contrast to Glassman, the processing engine of claim 11 performs image processing based on information from the first and second image modules. Accordingly, claim 11 is allowable.

Claim 11 is also allowable because, as will be described in detail with reference to claim 1, the cited portions of Glassman do not disclose or suggest the specific combination of claim 11. For example, the cited portions of Glassman do not disclose or suggest a first image module operable to capture first image information and a second image module operable to capture second image information, as in claim 11. Instead, Glassman discloses a radial array of capsules and an associated photosensor array. See Glassman, col. 11, lines 43-47. Further, the cited portions of Glassman do not disclose the first and the second module as being communicatively coupled with the processor as in claim 11. Therefore, claim 11 is allowable for this additional reason. The dependent claims 12, 14 are patentable for at least the aforementioned reasons.

The Office has rejected claim 23, at page 5 of the Office Action, under 35 U.S.C. §102 (b), as unpatentable over Glassman. Applicants respectfully traverse the rejection with respect to claim 23.

The cited portions of Glassman do not disclose or suggest the specific combination of claim 23. For example, the cited portions of Glassman do not disclose or suggest correlating a plurality of digital image sensors with different views of a scene, wherein at least one of the plurality of digital image sensors comprises a lens integrated with a sensor, as in claim 23. As discussed in detail with respect to claim 1, the cited portions of Glassman do not disclose or suggest that the digital image sensor comprises a lens integrated with a sensor, as in claim 23. Instead, Glassman discloses an ommatidia including a plurality of successive holes, each hole extending radially inward to a centermost portion of the interior of the disk forming a plurality of capsules, each of the capsules including, a photosensor, a prism mounted to bend the light onto photosensor and a lens. See Glassman, col. 10, lines 14-35. Thus, in contrast to claim 23, in Glassman, each photosensor array has a corresponding lens that is spatially separated from the

photosensor array and the lens is not integrated with the photosensor array. See Glassman, Fig. 10 and 11 (emphasis added). Therefore, the cited portions of Glassman, fail to disclose or suggest at least one element of claim 23. Hence, claim 23 is allowable.

While the Office Action asserts that Glassman teaches determining that the first view of the scene comprises a desired portion of the scene as in claim 23, the Office Action fails to provide any evidence to substantiate the assertion. The only evidence provided in support of this assertion is “A desired portion of the scene is captured.” See Office Action, p. 5. Applicants are unable to discern and the Office Action fails to teach which portions of Glassman teach the aforementioned element of claim 23. Given that, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference, Applicants respectfully submit that the Office has not shown that Glassman teaches determining that the first view of the scene comprises a desired portion of the scene as in claim 23. Claim 23 is patentable for this additional reason. Accordingly, Applicants respectfully submit that independent claim 23 is allowable. Claims 25 and 27 depend from claim 23 and are allowable for at least this reason.

As for claim 34, as discussed in detail with reference to claim 1, Glassman fails to disclose that the first image module comprises a lens integrated with a sensor, as in claim 34. Instead, Glassman discloses a lens that is spatially separated from the photosensor array. Claim 34 is thus allowable. Claims 37-38 are patentable because claims 37-38 depend from claim 23, which Applicants have shown to be allowable, thus claims 37-38 are allowable.

Claims 1-3, 5-6, 15, 19, 21 and 35-36 are Allowable

The Office has rejected claims 1-3, 5-6, 15, 19, 21 and 35-36, at pages 8-12 of the Office Action, under 35 U.S.C. §103 (a), as unpatentable over U.S. Patent No. 5,920,337 (“Glassman”). Applicants respectfully traverse the remaining rejections. Applicants have amended claim 5 and claim 7. Support for these amendments can at least be found at paragraph 1022 of Applicants’ application.

The cited portions of Glassman do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Glassman do not disclose or suggest a first image sensor lens module including a first lens integrated with a first sensor, the first image sensor lens

module operable to capture a first view of a scene and to output first information representing the first view, as in claim 1. Instead, Glassman discloses a radial array of capsules and an associated photosensor array. See Glassman, col. 11, lines 43-47. Further, Glassman discloses each capsule in the radial array of capsules including means for focusing light rays entering through an associated opening onto an associated photosensor array. See Glassman, col. 11, lines 43-47. In particular, Glassman describes mounting a prism at the frontmost portion of the cone shaped capsule to bend the light onto photosensor.

Glassman describes a photosensor (68) positioned at the rear-most portion of the associated capsule (66) close to the end wall (78) and because the light enters the capsule from the frontmost end of the capsule, the light directing means is mounted at the frontmost end of the capsule. Glassman, col. 10, lines 14-29. The position of the photosensor at the rear-most portion of the capsule and the shape of the capsule cause the means of directing light to be indispensable for functioning of the Glassman device. Accordingly, if the Glassman device was modified to exclude the means of directing light rays, as suggested by the Office Action, such modification would render the Glassman device inoperable for its intended purpose. See Office Action, p. 8. MPEP states, “If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)” See MPEP 2143.01.

Notably, each embodiment in Glassman discloses a light ray directing means of some kind. Glassman teaches various light ray directing means, for example, Figs. 1 and 2 of Glassman depict a spherical reflecting means and a hemispherical reflecting means respectively, Figs. 11 and 12 of Glassman illustrate a prism and Fig. 14 of Glassman depicts a mirror. Even if the Glassman device was modified to exclude the means of focusing light rays, as suggested by the Office Action, such modification would result in changing Glassman’s principle of operation. MPEP states “If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).” See, MPEP 2143.01

Further, the cited portions of Glassman do not disclose or suggest a first image sensor lens module including a first lens integrated with a first sensor, the first image sensor lens module operable to capture a first view of a scene and to output first information representing the first view, as in claim 1. Instead, Glassman discloses an ommatidia including a plurality of successive holes, each hole extending radially inward to a centermost portion of the interior of the disk forming a plurality of capsules, each of the capsules including, a photosensor, a prism mounted to bend the light onto photosensor and a lens. *See* Glassman, col. 10, lines 14-35. Thus, in contrast to claim 1, in Glassman, each photosensor array has a corresponding lens that is spatially separated from the photosensor array and the lens is not integrated with the photosensor array. *See* Glassman, Fig. 10 and 11 (emphasis added). Therefore, the cited portions of Glassman, separately or in combination, fail to disclose or suggest at least one element of claim 1. Hence, claim 1 is allowable.

Applicants hereby traverse the official notice taken by the Examiner with respect to selector of claim 1 as being "well known" as follows. *See* Office Action p. 8. Applicants respectfully request that the Examiner provide an affidavit as to the personal knowledge relied on within the meaning of MPEP §2144.03 and 37 C.F.R. §1.107, or designate a reference or particular parts of the cited references and the pertinence of each reference in support of the rejection as required by 37 C.F.R. 1.106(b), which provides: "When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified." Applicants respectfully submit that the selector of claim 1, which the Examiner asserts to be well known is not. Thus, claim 1 is allowable for this additional reason.

Claims 2-3, 5-6 and 35-36 depend from claim 1, which Applicants have shown to be allowable. Therefore, claims 2-3, 5-6 and 35-36 are also allowable, at least by virtue of their dependence from allowable claim 1.

Further, the dependent claims include additional features that are not disclosed or suggested in the cited portions of Glassman. For example, the cited portions of Glassman do not disclose or suggest a triggering engine operable to evaluate scene view information to identify an

image sensor module capturing desired information and to signal the selector to route selected scene view information captured by the identified image sensor module to the processing engine, as in claim 5. Instead, Glassman discloses a composite of the images detected by successive capsules 66 providing a horizontal band or panoramic strip of the scenery about the disk 60. *See* Glassman, col. 11, lines 43-54. Further, the cited portions of Glassman do not disclose or suggest this element of claim 5. For this additional reason, claim 5 is allowable.

Claim 4 is Allowable

The Office has rejected claim 4, at page 13 of the Office Action, under 35 U.S.C. §103 (a), as unpatentable over U.S. Patent No. 5,920,337 (“Glassman”) and further in view of Kornblit et al. (US Patent No. 5920337). Applicants submit that Kornblit does not cure Glassman’s aforementioned infirmities. Claim 4 depends from claim 1, which Applicants have shown to be allowable. Accordingly, claim 4 is allowable at least for this reason.

Claims 7-9 and 28 are Allowable

The Office has rejected claim 4, at page 13 of the Office Action, under 35 U.S.C. §103 (a), as unpatentable over Glassman (U.S. Patent No. 5,920,337) and further in view of Mates (US Patent No. 6987258B2) and Foote et al. (US Patent No. 7015954B1). The triggering engine evaluating desired information is absent from Glassman. Even if the photo detection capability of Mates was combined with the Glassman device, a point Applicants do not concede, the combination would still not teach, suggest or disclose a triggering engine communicatively coupled to the selector and operable to evaluate scene view information to identify an image sensor module capturing desired information and signal the selector to route a specific portion of the scene view information captured by the identified image sensor module to the processing engine as in claim 7. Claim 7 is thus allowable.

Similarly, Glassman, Mates and Foote do not teach determining that the second view should capture the activity because none of the above-cited references teach the triggering engine operable to signal the selector to route the second information to the processing engine in response to a determination that the second view should capture the activity as in claim 8.

Further, the cited portions of Foote do not disclose or suggest a support having an exterior surface that comprises the mounting surface, the support having a geometry that

facilitates differing orientations of the first and the second image sensor lens modules, as in claim 9. Instead, Foote discloses a circular array of video cameras, a planar array of cameras mounted on a rigid plane substrate and a linear array of cameras mounted on a rigid plane substrate. *See* Foote, Figs. 1A, 1B, 1C and col. 5, lines 64-67. Further, the cited portions of Foote do not disclose or suggest this element of claim 9. For this additional reason, claim 9 is allowable.

As for claim 28, claim 28 depends from claim 23, which Applicants have shown to be patentable. Claim 28 is allowable for at least this reason. Accordingly, claims 7-9 and 28 are allowable.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the cited references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the pending claims.

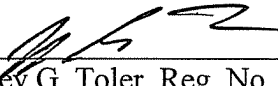
Any changes to the claims in this amendment, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date



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